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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond **Division**

In re Circuit City Stores, Inc.

Case No. 08-35653-KRH

Adv. Proceeding No. _____

Debtor(s) MOTION FOR LEAVE TO APPEAL

TRANSMITTAL OF RECORD ON APPEAL TO DISTRICT COURT

Pursuant to 28 U.S.C. 158, Notice of Appeal was filed herein on 05/14/2010.

The parties included in the Appeal to the District Court:

APPELLANT(S): Schimenti Construction Co., LLC

ATTORNEY: Ryan C. Day of LeClair Ryan
951 E. Byrd Street, Riverfront Plaza East Tower
Richmond, Va 23219

APPELLEE (S): Circuit City Stores, Inc. Et al.

ATTORNEY: Douglas M. Foley of McGuire Woods, LLP
One James Center, 901 E. Cary Street
Richmond, Va 23219

Brief Description of Judgment/Order Appealed: MEMORANDUM OPINION (docket entry # 5041) and
SECOND SUPPLEMENTAL ORDER (docket entry # 7355)

Date Judgment/Order Entered: 09/22/2009 (docket entry # 5041) and 04/30/2010 (docket entry # 7355)

1. Filing Fees: A. Notice of Appeal - Filing Fee \$5.00 ☒ Paid ☐ Not Paid
B. Appeal Docket Fee - \$250.00 ☒ Paid ☐ Not Paid ☐ Deferred. See attached Request
2. ☒ Notice of Appeal, Order/Judgment, True Copy Teste of Docket Record, and Designation(s) [if any]
3. ☐ No Designation of Record on Appeal filed (See Certification Below)
4. ☐ Copies of items designated by Appellant/Appellee have/have not been submitted pursuant to FRBP 8006 and LBR 8006-1.

Date: June 10, 2010

WILLIAM C. REDDEN, Clerk of the Court
By: /s/ Suzanne French Deputy Clerk

CERTIFICATION TO APPELLATE COURT

It is hereby certified that the designation of record required by Federal Rule of Bankruptcy Procedure 8006 and Local Bankruptcy Rule 8006-1 has not been filed within 14 days after the filing of the notice of appeal.

WILLIAM C. REDDEN, Clerk of the Court
By: _____, Deputy Clerk

District Clerk - Please complete and return second copy.

DISTRICT COURT CASE NUMBER 3:10cv397

cc: Attorney for Appellant(s)
Attorney for Appellee(s)

